



Order Filed on December 21, 2016
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

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In Re:

Mohammad MOBASSERI,

Debtor

Case No.: 16-25231

Chapter: 13

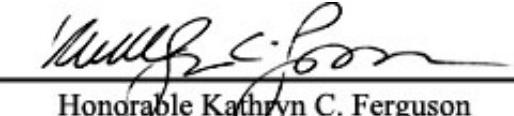
Hearing Date: n/a

Judge: KCF

ORDER ALLOWING LOAN MODIFICATION AGREEMENT WITH BAYVIEW LOAN SERVICING, LLC (M & T BANK) ON DEBTOR'S PROPERTY LOCATED AT 87 JAMESTOWN ROAD, BASKING RIDGE, NEW JERSEY

The relief set forth on the following pages, numbered two (2) through three (3) is hereby ORDERED:

DATED: December 21, 2016


Honorable Kathryn C. Ferguson
United States Bankruptcy Judge

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87 JAMESTOWN ROAD, BASKING RIDGE, NEW JERSEY

This matter being opened to the Court by John A. Lipowski, attorney for the debtor, Mohammad Mobasseri for an Order to Allow a Loan Modification Agreement with Bayview Loan Servicing, LLC (M & T Bank) on Debtor's Property Located at 87 Jamestown Road, Basking Ridge, New Jersey, and the Court having considered the papers submitted, and for good cause shown, it is:

ORDERED, that the loan modification agreement with Bayview Loan Servicing, LLC (M & T Bank) on debtor's property located at 87 Jamestown Road, Basking Ridge, New Jersey is hereby approved;

IT IS FURTHER ORDERED, that in the event the loan modification is completed and the pre-petition arrears are capitalized into the loan, Bayview Loan Servicing, LLC (M & T Bank) shall amend its Proof of Claim to the amount paid to date or withdraw the claim within sixty (60) days of completion of the loan modification;

.....
AND IT IS FURTHER ORDERED, that the Chapter 13 Trustee shall suspend disbursements, if any, to Bayview Loan Servicing, LLC (M & T Bank) on the mortgage arrears pending completion of the loan modification, and all money that would otherwise be paid to Bayview Loan Servicing, LLC (M & T Bank) on the mortgage arrears be held in abeyance until the arrearage portion of the claim is amended to the amount paid to date, the claim withdrawn, or the Chapter 13 Trustee is notified that the loan modification was not consummated;

AND IT IS FURTHER ORDERED, that with respect to any post-petition orders, claims for post-petition mortgage arrears, and/or orders for creditor's attorney fees which are being capitalized into the

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loan, Bayview Loan Servicing, LLC (M & T Bank) shall amend any and all post-petition orders or claims within sixty (60) days after completion of the loan modification;

AND IT IS FURTHER ORDERED, that in the event the Proof of Claim is amended to the amount paid to date or withdrawn, the Chapter 13 Trustee may disburse the funds being held pursuant to this order to other creditors in accordance with the provisions of the confirmed Chapter 13 Plan;

AND IT IS FURTHER ORDERED, that the automatic stay is modified to permit Bayview Loan Servicing, LLC (M & T Bank) to record the loan modification upon approval by this Court;

AND IT IS FURTHER ORDERED, that in the event that the loan modification is not consummated, Bayview Loan Servicing, LLC (M & T Bank) shall notify the Chapter 13 Trustee and debtor's attorney of same. Any money that was held by the Chapter 13 Trustee pending completion of the modification shall then be paid to Bayview Loan Servicing, LLC (M & T Bank);

AND IT IS FURTHER ORDERED that debtor shall file an amended Schedule I and an amended Schedule J, if applicable, and a Modified Plan within twenty-one (21) days of this Order;

AND IT IS FURTHER ORDERED that the movant shall serve a copy of this Order on the debtor, the Chapter 13 Trustee and any other party who has entered an appearance on this motion.